

CITY COUNCIL MINUTES
December 19, 2011

I. ROLL CALL & ORDERING OF AGENDA

Acting President David Silvestri called the regular meeting of Wooster City Council to order at 7:30 p.m. in council chambers by asking everyone to rise and join in the Pledge of Allegiance. The following members were present: Jon Ansel, Mike Buytendyk, Mark Cavin, Barbara Knapic, David Silvestri, Jeff Steiner and Jon Ulbright.

II. APPROVAL OF MINUTES

Mr. Steiner moved, seconded by Mr. Cavin, to approve minutes of the December 5, 2011 meeting. Upon voice vote, motion carried unanimously.

III. COMMUNICATIONS FROM MAYOR/ADMINISTRATION

Mayor Breneman, updated council on various activities in the city: 1) Mayor Breneman acknowledged Wooster City Council members for their service to the city and the many hours they served in 2011. 2) The 2012 Annual Budget for the City of Wooster is a very difficult document to coordinate and the Mayor gave accolades to the finance division for putting such a professional document together. 3) Resolution No. #2011-102, authorizing a performance audit review, was added to the agenda before the start of the meeting due to comments made at the finance committee meeting prior to the council meeting. Mayor Breneman explained the administration has been considering this since mid-summer and have talked with other communities who have done performance audits and believe they have been very valuable for their organization. The audit would be performed by the Auditor of State and will take about six months. All operations of the entire organization will be reviewed and a report will be compiled showing a list of things the city is doing well and the areas that could use improvement. A comparison to other communities of Wooster's size will also be provided which will show how our city matches up in duties, pay scales, etc. Mayor Breneman feels this would be very valuable and will benefit our community at this time. 4) Being the last meeting of the year Mayor Breneman wanted to thank the city personnel for their hard work as its been a very trying year. Last year at this time twenty-two employees retired thru the Voluntary Separation Plan (VSP) and it has been an adjustment. The VSP saved the city over \$2 million and by not replacing personnel will save the city an additional \$1.8 million in 2012. 5) Mayor Breneman declared Wednesday, December 21st as Josh Krajcik Day! Josh is from the Wooster community and is a finalist on the FOX Network television show THE X FACTOR. The finals are on Wednesday, December 21st and there will be a live telecast from Triway High School. Mayor Breneman said this has brought national exposure to our town and he congratulated Josh on his achievement and asked everyone to be in full support of Josh going into the finals and to vote!

IV. PETITIONS/COMMUNICATIONS FROM PUBLIC (none)

V. COMMITTEE REPORTS; PUBLIC HEARINGS

Finance Committee held a meeting at 5:30 p.m. in council chambers, prior to the council meeting. Mr. Ansel said he would cover the meeting during the discussion of the agenda item.

VI. OLD BUSINESS

1. Third Reading - ORDINANCE NO. 2011-33 APPROPRIATING FROM VARIOUS FUNDS TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF WOOSTER FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel said the finance committee held their final budget review session at 5:30 p.m., prior to the council meeting. He said the budget is two-fold with both the City of Wooster (Ordinance No. 2011-33) and the Wooster Community Hospital (Ordinance No. 2011-37) budgets. Mr. Ansel said the committee made a consensus recommendation to approve the City of Wooster's budget as presented. He commended the finance division for their work and said its important that we continue to highlight the economic challenges ahead of the City of Wooster. The 2012 budget shows decreased revenues being at an all time record low in comparison to prior years. The operating revenue is \$16.1 million, forecasted expenditures \$16.9 million, for a deficit of approximately \$800,000. The cash balance in the Rainy Day Fund at the end of 2011 is \$9.874 million, 165 days in cash and the

forecasted ending cash balance for 2012 is \$8.686, 133 days in cash. Mr. Ansel said we actually performed better than budgeted in 2011 so perhaps there could be some pleasant surprises in 2012. He said the finance committee will continue their bi-monthly financial review sessions in 2012. Mr. Ansel thinks a performance audit, the final piece of legislation to be discussed on the agenda, will be very helpful. Mr. Ulbright expressed his appreciation to the finance division for presenting such a well laid out budget and commended those at the city who apply for various grant funding. He pointed out items that were cut from the public property maintenance budget for the upkeep of the parks and said if the economy does improve he would like to see consideration in restoring these items. Mr. Ansel wanted to reiterate the fine things the city is accomplishing, noting that grant funding and various fees will fund approximately \$10 million of infrastructure projects in 2012 with a cost to taxpayers of \$200,000. Mayor Breneman noted that even though services in the parks have been cut back, in comparison to surrounding communities, Wooster is still spending more per capita (\$69 per capita in 2010) to maintain our park facilities.

Mr. Ansel moved, seconded by Ms. Knapic, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

2. Third Reading - RESOLUTION NO. 2011-96 ACCEPTING THE RECOMMENDATIONS OF THE WOOSTER TAX INCENTIVE REVIEW COUNCIL WITH RESPECT TO EXISTING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT ACT AGREEMENTS (Ansel)

Mr. Ansel said he has consistently endorsed the recommendations of the TIRC regarding the referenced abatements, but in light of the discussion and perceived controversy, he asked Mr. Steiner to make the final introduction of the resolution. Mr. Steiner said this is the third and final reading and council members have all received the recommendations from the TIRC, which are usually endorsed as a package. He said everyone also received information on the pros and cons of clawing back on a tax abatement. At the last council meeting Mr. Ulbright put forth an amendment to separate the Eldorado Stone abatement vote from the other twenty-one abatements, but withdrew the amendment as he was assured there would be more information forthcoming. Jerry Baker, representing Chesterland Estates, gave the history on Eldorado Stone and assured council that 3 to 4 tenants have been secured for the facility which will add 17-19 employees by the end of March 2012, but he could not give names of the companies at this time. Justin Starlin said the city has done a good job developing a pro-business community but feels setting stronger abatement standards will set more of an anti-business program. Council members weighed in on their opinions, views and concerns, and following the discussion Mr. Steiner made a motion to adopt the resolution.

Mr. Steiner moved, seconded by Ms. Knapic, to adopt. Upon roll call, motion to adopt carried 6-1 (Ansel-yes; Buytendyk-yes; Cavin-no; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

3. Second Reading - ORDINANCE NO. 2011-37 REVISING THE AUTHORIZED RANGE OF PAY SCALES AND BENEFITS FOR HOURLY RATED AND SALARIED EMPLOYEES AT WOOSTER COMMUNITY HOSPITAL, AND REPEALING FORMER ORDINANCES (Ansel)

Mr. Ansel said questions from the prior council meeting regarding the hospital's budget were answered at the finance committee meeting by Stan Hostetler, Human Resource Manager at Wooster Community Hospital. Mr. Hochstetler gave clarification on the wage grade and the step increase methodology. On behalf of the finance committee, Mr. Ansel said there was a consensus recommendation to approve the compensation adjustment as outlined in the attached summary.

Mr. Ansel moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Mr. Steiner, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

4. Second Reading - ORDINANCE NO. 2011-38 AUTHORIZING THE MAYOR TO EXECUTE AN ACCESS AGREEMENT FOR GROUNDWATER TESTING AT GROSJEAN PARK (Knapic)

Ms. Knapic said a sale is pending on the Halliburton property adjacent to Grosjean Park and they would like to drill a well to monitor the groundwater to make sure there are no environmental problems. Joel Montgomery, City Engineer, gave further details of the agreement and said ingress and egress would not be needed on city property as they will gain access through the Halliburton property. Mr. Benson confirmed Halliburton will assume any liabilities associated with the construction, maintenance and drilling.

Ms. Knapic moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Ms. Ansel moved, seconded by Mr. Silvestri, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

5. Second Reading - RESOLUTION NO. 2011-98 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH THE WAYNE COUNTY HUMANE SOCIETY FOR CAT CONTROL SERVICES WITHIN THE CITY OF WOOSTER (Steiner)

Mr. Steiner said the city has entered into this agreement for a number of years and at council's request the Humane Society presented calculations on the services they have provided to the city through November 31, 2011. He said it shows they are providing more services than what they are being reimbursed for and that it is a very effective method and a low cost program to control the feral cat population. Mr. Ulbright said it still bothers him that Wooster is the only entity that is supporting these efforts and realizes the Humane Society has made efforts to contact other communities to contribute but have not had much success. Mr. Ulbright wanted to know if there was anyway to stress to these other communities the importance of contributing their share for this important service. Greg Long and John Hall were in attendance on behalf of the Humane Society. Mr. Long explained they have contacted these other communities and will continue their efforts to collect from them. He further spoke on the organization's function and explained the funding of the operation. Mr. Ansel pointed out the summary indicates Wooster represents 40% of the cat intake within the county and the total cost identified for processing cats within Wooster is \$66,744 for ten months, which figures out to \$75,000 a year. The city is being asked to pay \$30,000 which Mr. Ansel said is a great value for the services provided. Mr. Ulbright requested next year the Humane Society provide a summary of the entire operation.

Mr. Steiner moved, seconded by Ms. Knapic, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Steiner moved, seconded by Ms. Knapic, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

6. Second Reading - RESOLUTION NO. 2011-99 AUTHORIZING THE MAYOR TO ISSUE PAYMENT TO THE WAYNE ECONOMIC DEVELOPMENT COUNCIL FOR ECONOMIC DEVELOPMENT SERVICES (Ansel)

Mr. Ansel said this resolution was covered in great detail at the last council session, the historical funding to WEDC, the increased funding to WEDC that occurred during the economic downturn to stimulate economic growth and the current proposed \$10,000 funding reduction to WEDC. At the request of the administration, Mr. Ansel said the resolution would be held on second reading as the city is still having dialog with Rod Crider of the WEDC. Due to the resolution not requiring three readings it was suggested that the resolution be tabled. Mr. Silvestri said he

would like to see an outline of WEDC's annual budget and Mayor Breneman said Mr. Crider could not attend this evening's meeting but will be at the next meeting to answer council's questions.

Mr. Ansel moved, seconded by Mr. Buytendyk, to table the resolution. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

VII. NEW BUSINESS

1. First Reading - ORDINANCE NO. 2011-39 AUTHORIZING THE DIRECTOR OF FINANCE TO ADVANCE MONIES FROM THE GENERAL FUND TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND, AND DECLARING AN EMERGENCY (Ansel)

Mr. Ansel said council processes this request every year at this time. Due to timing issues with the holiday season, the state will not issue final reimbursement checks for Community Development Block Grant projects until January 15th. Mr. Ansel explained the city has payables associated with the CDBG activity so in order to pay the vendors for their work, money needs to be drawn out of the General Fund to make those payments and once the check is received from the state, the money will be immediately reimbursed to the General Fund. Mr. Dordea said there are approximately \$47,000 in reimbursement requests, but depending on projects done thru the end of the month the amount could be more and that is why he requested \$100,000 be transferred.

Mr. Ansel moved, seconded by Mr. Buytendyk, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Mr. Steiner, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

2. First Reading - ORDINANCE NO. 2011-40 AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Mr. Ansel said heavy rain this summer caused flooding in the basement of the main operations building at the Water Pollution Control Plant. This caused extensive damage to a 1965 motor control center and after multiple repairs, the manufacturer determined that any further degradation could result in significant downtime and damage associated with the equipment. Mr. Ansel said a portion of the funding was budgeted in 2012 anticipating this and the city has received \$60,000 from our insurer for the claim. Mr. Ansel said the city is requesting council approval to allocate the \$60,000 of insurance funding to the WPC Fund for that repair project. Mr. Buytendyk pointed out approximately \$110,000 will still be needed to complete the project as the insurance proceeds are not sufficient for the full replacement and rewiring, plus the MCC was moved from a basement that was prone to flooding to protect it from future flooding events. Mr. Silvestri questioned how much the motor was insured for and Mayor Breneman explained it was insured for its current value, not replacement value. Mr. Silvestri had further questions regarding the project and said he would see if the public utilities committee would like to have a meeting to further discuss it.

Mr. Ansel moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Ms. Knapic, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

3. First Reading - ORDINANCE NO. 2011-41 AMENDING THE ANNUAL APPROPRIATION ORDINANCE (Ansel)

Mr. Ansel said the IT offices at City Hall currently do not meet code and budgeted funds are available to bring this area into compliance. Such renovations would include removing wall paneling and existing lay-in ceiling and

lighting, remove existing non metallic electrical cable that is not code compliant. Also the carpeting that causes static will be removed and replaced with tile flooring. The IT area was not updated when renovations were done to the rest of City Hall in 2002. Mr. Ansel said the original anticipated expense was \$25,000 but due to in-house staff performing the work it was reduced to \$19,600 and renovations are anticipated to be completed by the first of the year. Mr. Fowler explained the project is already in process because initially it was determined not to be a capital item, plus there was an urgency to get the work done while the maintenance crews were available and not dealing with weather related issues. Mr. Ulbright and Mr. Cavin questioned if the project was necessary at this time and administration explained this is to bring up the once piece of the building that was not brought up to code with everything else. The rest of the building's wiring was upgraded to a commercial grade except for this area and the lights are the older style while the rest of the building is using the T8 high energy efficient lights. Jim Dodd, Manager of the IT Division, answered further questions about the project.

Mr. Ansel moved, seconded by Mr. Steiner, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Ansel moved, seconded by Ms. Knapic, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

4. First Reading - RESOLUTION NO. 2011-100 AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE FEDERAL HIGHWAY ADMINISTRATION FOR A TRANSPORTATION, COMMUNITY AND SYSTEM PRESERVATION GRANT, TO ACCEPT SUCH MONIES, IF AWARDED; TO EXECUTE ANY NECESSARY DOCUMENTS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY (Ulbright)

Mr. Ulbright explained this request is for a grant through the Federal Highway Administration's ("FHWA") Transportation, Community and System Preservation ("TCSP") to meet the FHWA's strategic goals of livability, reducing environmental impacts of transportation, ensure efficient access to jobs, and to encourage private sector development patterns. If the grant is received it is a 80/20 split with FHWA funding covering 80% and the city contributing 20% of the total project costs. The grant will be used for the creation of a multimodal transportation plan in order to connect various locations in Wooster with each other via alternative modes of transportation and to connect Wooster to surrounding communities. The grant will be used for the implementation of Phase One of the multimodal transportation plan, prioritizing the more immediate need to connect the south end of Wooster to the north end of Wooster. Mr. Ulbright said the estimated total amount would be \$500,000. The application would be for 2012 planning and construction, but would be dependent on the funding agency schedule. If awarded, the city would anticipate using existing budgeted funds for sidewalks and street improvements as much as possible. The city would also be soliciting private contributions from known interested parties. Mr. Ulbright said this project will benefit the community by improving livability, providing transportation alternatives while reducing environmental impacts of transportation, improving citizen health through active transportation, encourage private sector development patterns along bike routes and promoting regional tourism by connecting to larger paths. Mr. Ulbright said it relates to our Safe Routes to School initiative and recent road improvement projects (Akron Road) which included the provision of bike paths. It will also be used to update sections of the City of Wooster Comprehensive Plan which is growing outdated. Mr. Montgomery explained the whole spectrum of the grant and said the potential is for connecting bike paths to Smithville and Orrville and south to Fredricksburg.

Mr. Ulbright moved, seconded by Mr. Buytendyk, to suspend the rules and place on third and final reading. Upon roll call, motion carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

Mr. Ulbright moved, seconded by Mr. Buytendyk, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

5. First Reading - RESOLUTION NO. 2011-101 AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO A CONTRACT FOR THE PURCHASE OF AN ACCOUNTABILITY SYSTEM FOR THE FIRE DIVISION (Steiner)

Mr. Steiner referred to Resolution No. 2011-24 when the city received grant funds from FEMA and explained this Resolution No. 2011-101 is for the authorization to apply the final part of this money to buy the accountability system. This grant was a 90/10 match and the other items that have already been purchased with the monies are power cots for the squad, thermal imaging cameras, air compressor, cascade system and officer training and development. Mr. Steiner said this is an upgrade to the current accountability system and will allow us to expand the system from a one or several department system to a countywide as well as a multi-county accountability as the need arises for an escalating emergency response.

Mr. Steiner moved, seconded by Ms. Knapic, to adopt. Upon roll call, motion to adopt carried unanimously (Ansel-yes; Buytendyk-yes; Cavin-yes; Knapic-yes; Silvestri-yes; Steiner-yes and Ulbright-yes).

6. First Reading - RESOLUTION NO. 2011-102 AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH THE AUDITOR OF STATE FOR PERFORMANCE AUDITING SERVICES, AND DECLARING AN EMERGENCY(Ansel)

Mr. Ansel said a lot of things were discussed at the finance committee meeting and one of the unique propositions, as outlined from a correspondence from Dave Yost, Auditor of the State of Ohio, is the concept of a professional service contract for a performance audit. The audit would be a 5 to 6 month operational assessment of all functions within the city, of all staffing effectiveness, salaries, benefits, compensation, compliance and how the City of Wooster compares against other cities of our size and scale and financial magnitude. Mr. Ansel said it is an objective, thorough comprehensive audit assessment where a third party is brought in to review how the City of Wooster operations are performing. Mr. Ansel said he would keep this on first reading as there will be a finance committee session to go into more detail because its pretty significant in terms of the projected expense allocation of \$75,000 of which the return is twenty-four fold. Mr. Ansel said this would be allocated from the General Fund and the Revenue Fund as it will be department specific. Mr. Steiner said even though it seems \$75,000 is a large amount, it is less than the top .4 of 1% of our General Fund budget for the year and its less than .2 of 1% of all funds, including the Enterprise Fund. He said if the benefits can be derived from cost savings, it might not be a very big expenditure in the whole scheme of things. Mr. Buytendyk said he has doubts if this service is worth the amount. Based on all the things the City of Wooster has done, Mr. Buytendyk said he would be surprised if they can find much that we can do differently to save the monies and expenses and to do more with less. He said he wished there was some sort of money back guarantee on the expenditure as he doubts if this study will be able to save the city \$1.5 million which is what the projected amount is. Mr. Ansel said the audit is utilized by two different types of municipalities, 60% of the users are in fiscal emergency and need the state to assist them in identifying why they are in fiscal emergency. The other 40% of the users of this service are people that want to validate their operating performance. Mr. Ansel said this is an important process for our taxpayers because many think we still have opportunity to cut expenses. Mr. Ansel said if we make some initiatives in the future to increase revenue we'll need validation to confirm we are as lean as we can possibly be and that we rank amongst the best cities in terms of our size and scale and productivity. Mr. Ansel said sometimes these investments are vitally important with some of the hard initiatives we are going to be faced with in the future. Mr. Silvestri questioned if it would be possible if the state could give us a brief overview and it wouldn't cost us so much. Also, maybe the city should look a little more seriously at a money back guarantee. And lastly Mr. Silvestri wanted to know if we could see a history of the studies done on cities not in a fiscal emergency and what the payout has been. Mr. Dordea addressed the questions saying the state's website has all performance audits available for review, he can ask about a money back guarantee but he is certain the answer will be no and lastly, the city asked for an entire performance audit, but can pick and choose the scope. The resolution remained on first reading.

VIII. MISCELLANEOUS

Council members thanked Mr. Silvestri for his service as Acting President of Council, congratulated Mr. Buytendyk on his new roll as Council President and Craig Sanders on his election as At Large Councilman. Everyone was wished safe and happy holidays.

IX. ADJOURNMENT

Mr. Ansel moved, seconded by Mr. Ulbright to adjourn. Motion carried and meeting so adjourned at 9:45 p.m.

David J. Silvestri
Acting President of Council

Cheryl K. Collins
Clerk of Council